

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

ACT, INC.,	:	
	:	Case No. 3:18-cv-00186-TRM-HBG
Plaintiff and Counter-Defendant,	:	
	:	
v.	:	
	:	
WORLDWIDE INTERACTIVE NETWORK,	:	
INC. and Teresa Chasteen,	:	
	:	
Defendants and Counter-Claimants.	:	
	:	
	:	JURY TRIAL DEMANDED
	:	
	:	
	:	
	:	

**PLAINTIFF AND COUNTER-DEFENDANT ACT, INC.’S DAUBERT MOTION TO
EXCLUDE DEFENDANT AND COUNTER-CLAIMANT WORLDWIDE
INTERACTIVE NETWORK, INC.’S ANTITRUST DAMAGES EXPERT TESTIMONY
OF GEORGE S. FORD, PHD**

Pursuant to Federal Rules of Evidence (“FRE”) 702, 401, and 403, Plaintiff and Counter-defendant, ACT, Inc. (“ACT”) moves the Court to exclude certain portions of Defendant and Counter-Claimant, Worldwide Interactive Network, Inc.’s (“WIN”) expert testimony of George S. Ford, PhD regarding antitrust damages.

Certain opinions of Dr. Ford are unreliable, not helpful to the jury, and inadmissible under the standard set forth in FRE 702 and *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993).

The present Motion to exclude the testimony of Dr. Ford is based on this notice of motion, the memorandum of points and authorities herewith, exhibits attached hereto, any supplemental memoranda, evidence, and declarations, the Court’s file in this case, any matters of which the Court must or may take judicial notice, and any argument at the hearing of this motion.

Respectfully submitted this 28th day of February, 2020.

By: /s/ Dylan I. Ballard (Admitted Pro Hac Vice)

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CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2020, a true and correct copy of the foregoing PLAINTIFF AND COUNTER-DEFENDANT ACT, INC.'S DAUBERT MOTION TO EXCLUDE DEFENDANT AND COUNTER-CLAIMANT WORLDWIDE INTERACTIVE NETWORK, INC.'S ANTITRUST DAMAGES EXPERT TESTIMONY OF GEORGE S. FORD, PHD was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

/s/ Dylan I. Ballard (Admitted Pro Hac Vice)
Dylan I. Ballard